

## **EXHIBIT B**



United States Attorney  
Western District of Washington

Please reply to:  
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September 25, 2017

Colin Fieman  
John Carpenter  
Assistant Federal Public Defenders  
1331 Broadway, Suite 400  
Tacoma, Washington 98402

Re: *United States v. Charles Andrew Stocker, CR17-5116 BHS*

Dear Colin and John:

We are writing in response to your September 14, 2017, letter requesting, "all records related to the allegations contained in [our] September 12, 2017, 'Briefing Addressing Early Release of Confidential Information.'" As we pointed out in our filing, the FBI is conducting an ongoing investigation to determine who created and disseminated the fraudulent list. This investigation involves potential violations of federal obstruction of justice statutes, and your client is a potential target of the investigation. In order to preserve the integrity of the ongoing investigation and to protect against further potential obstruction of justice, while at the same time balancing your claimed need to investigate the matter, we have included a disk containing a copy of an image, in native format, that the FBI uncovered in its investigation.<sup>1</sup>

Obviously, the ongoing investigation will likely to continue to generate new material going forward. The release of that material on an ongoing basis may negatively affect the investigation by providing real time insight into the FBI's investigative techniques and activities leading to new potential obstruction of justice charges. Therefore, we do not intend to produce new material on an ongoing basis. Rather, we intend to evaluate whether or not to produce the material at the conclusion of the investigation, and if necessary, to ask the Court for an *in camera* review of the materials to determine if they need to be disclosed.

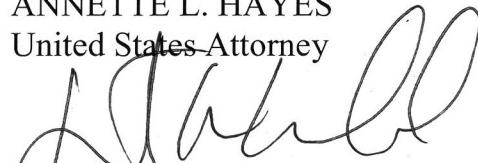
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<sup>1</sup> The remaining materials you requested in your letter, in particular, the identities of the individuals listed in our filing as well of copies of their written and recorded statements are not Rule 16 material. They also relate to the ongoing obstruction of justice investigation, and thus, we do not intend to produce them at this time.

Please contact me at (206) 553-5558 should you have any questions concerning this matter.

Sincerely,

ANNETTE L. HAYES  
United States Attorney



By:

JUSTIN W. ARNOLD  
Assistant United States Attorney

